EDITORIAL COMMENT

CRIMINOLOGY IN THE LAW SCHOOLS.

Is it not time that our law schools should begin to demand some training in criminology from their students? If it is desirable that our criminal law should be made scientific, our experts in criminal law must receive scientific training. It is practically universally acknowledged that the problem of crime is primarily a scientific problem—that is, it is amenable to analysis and solution by scientific methods. Nevertheless, so far as we know, students in criminal law in no school in the United States are as yet required to take a preliminary course in scientific criminology. Put bluntly, this means that our students in criminal law are introduced to the subject usually from a non-scientific standpoint, the standpoint of precedent and tradition. It can hardly be expected, therefore, that, later, such students will readily acquire the scientific point of view in dealing with crime and the criminal.

It may be objected that we are not ready to introduce criminology into our law schools, or even in pre-legal courses, because the science is as yet in such an unsettled condition; but it must be replied that this unsettled condition of the science exists more largely in the minds of those who are ignorant of the scientific work which has been accomplished along criminological lines than it exists in the actual state of the science itself. The work of the American Institute of Criminal Law and Criminology is largely to render accessible the consensus of the best scientific opinion in criminology and to bring this consensus to bear upon the actual problems of our criminal law. Through its translations the Institute is preparing a series of texts which may be made use of in courses in criminology, and there can scarcely be any doubt but that already a sufficient number of adequately equipped teachers exist in this country to give such instruction, provided law schools were at all interested in discovering them.

Closely connected with the necessity of some training in criminology for all students of criminal law is the matter of special training for our criminal judges. The judge of the criminal court ought to be an expert in criminal law and criminology, which is very rarely the case in this country. Special courses of training should be given by our law schools as preparation for this work. All of this, of course, implies that our criminal courts can never be properly organized as long as we retain the method of popular election to determine who shall be at their head, or the

still more objectionable practice of having the same individual serve as a judge in both civil and criminal courts. Such practices ought not to be tolerated among an enlightened people. Criminal judges should manifestly be appointed upon the basis of competitive examinations, which should emphasize criminology and criminal law, and their work should be entirely separate from the civil courts. C. A. E.

ADMINISTRATION OF CRIMINAL JUSTICE IN CONNECTICUT.

The *Bridgeport* (Conn.) *Post,* commenting on the Lawson-Keedy report on English procedure, declares with evident pride that none of their recommendations are entirely foreign to Connecticut procedure. Objections to indictments, it says, are rarely ever made in Connecticut. The examination of jurors on their *voir dire* is nearly always limited to the asking of questions intended merely to show incompetency or bias. Accused persons unable to employ counsel are furnished legal assistance, both in the superior court and (by a recent act) in the court of common pleas. It has been many years, we are told, since the Supreme Court granted a new trial on a technicality. In many cases prosecuting attorneys follow the English rule of non-partisanship and make only impartial presentations of the evidence to the jury. The fee system of compensating prosecuting attorneys does not prevail in the case of the higher prosecuting officers, though, unfortunately, it is still recognized as a means of compensating prosecutors in the minor courts. In recent years there has been less of a tendency among the lawyers, we are also told, to inject error into the record and more of a disposition to confine their endeavors to disproving guilt. Finally, the goal to which Connecticut is steadily moving is the investment of the trial judge with larger powers in the conduct of trials, as is the practice in England. We are glad to have the truth of these statements confirmed by a member of the New Haven bar, who says there is now very little cause of complaint with Connecticut criminal justice. "Mistrials and the discharge of criminals notably guilty on technical grounds is," our informant says, "almost, if not quite, unknown to our experience. Appeals to our court of last resort in criminal cases are comparatively few and convictions are never reversed except for very grave reasons." Our informant attributes much of this happy condition in Connecticut to the fact that the judges and prosecuting attorneys are not elective, the latter being appointed by the judges of the superior court, and are usually retained in office until they are promoted to the bench or until they retire from practice. A second reason advanced for the satisfactory conditions described above is the absence of a penal code or code of pro-